

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: FG/19/26/HH

LOCATION: 49 Rife Way
Ferring
BN12 5JY

PROPOSAL: Proposed two storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Ferring Parish Council - No response received.

No representations received from nearby occupiers.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site includes a semi-detached dwelling. The proposal is for a two storey side extension to the western flank elevation. The proposal would be visible from Rife Way.

The two storey side extension would have a width of 1.8m. Consequently, the western flank elevation would be set in from the western side boundary by 0.85m, contrary to Arun Design Guide (ADG) advice, which suggests a minimum of 1m at ground floor level and 2m at first floor level. The side extension would also not satisfy the 70-degree rule for side extensions, which aims to avoid any undesirable terracing effects.

This part of Rife Way is characterised by pairs of semi-detached dwellings. 49 and 47 Rife Way are set further back from the highway than their westerly neighbour, 51 Rife Way; the side extension would therefore not result in a terracing effect and would continue to be perceived as a semi-detached dwelling.

Whilst it would be preferable for the two storey side extension to be set down from the ridge height of the existing dwelling, as well as from the front and rear, and it is noted that the extension would not be a subservient addition to the host dwelling, the extension does respond positively to the existing pitched roof and gable end, in keeping with established design in the locality.

The single storey element of the side extension, in the south eastern corner, would incorporate a mono-pitched roof, sloping upwards towards the centre of the host dwelling with the gable of the extension abutting the existing flat roof. Predominantly, other rear extensions in the locality have incorporated flat roofs, however the mono-pitched roof would be an innovative and contemporary design choice, as per ADG guidance, and would not result in harm to design or visual amenity.

Overall, while not subservient to the host dwelling, the two storey side extension would be sensitive to the existing built form and character of the area and would not result in undue harm to design or visual amenity in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed side extension would be set in from the site boundary by 0.85m. Whilst the proposed spacing would not be in accordance with the ADG advice, the western flank of the extension would be set in approximately 3.2m from the eastern flank elevation of 51 Rife Way. The mono-pitched roof on the single storey element of the extension would be angled away from the site boundary, extending only approximately 0.5m above the boundary fence at it closest point. Given this, the proposal would not result in undue harm by way of overbearing impacts.

Given the orientation of the host dwelling, the siting of the extension on the western flank and its modest width, the extension would result in limited overshadowing impacts, however the proposal would not result in demonstrable harm by way of overshadowing.

Fenestration is proposed at ground and first floor levels within the front, rear and western flank elevations of the extension. The proposed front fenestration would have an outlook over the application site frontage, and would not result in overlooking. The fenestration within the rear elevation would have views of the rear amenity space serving the host dwelling. Whilst some views of neighbouring gardens would be available from the first floor rear fenestration, these views would not be significantly different to those already available, and the proposed rear fenestration would not result in unacceptable overlooking. The proposed ground floor fenestration within the western flank elevation would serve a kitchen, and would be screened from the neighbour to the west by boundary treatment. The first floor window within the western flank would replace an existing window in a similar location, however, given that the proposed first floor side window would be closer to the western side boundary than the existing, it is reasonable to attach a condition to this planning permission to require this window to be obscurely glazed and non-openable below 1.7m above the internal floor level, to avoid a significant increase in actual and perceived overlooking of the neighbour to the west.

The proposal is in accordance with ALP policies D DM1 and D DM4 in regard to neighbouring residential amenity.

SUMMARY

The proposal is in accordance with relevant development plan policies and is therefore recommended for approval, subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Location and Block Plan 2
Existing and Proposed Floor Plans and Elevations 1

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 The first floor window within the western flank elevation of the building shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and non-openable below 1.7m above finished floor level. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with

Arun Local Plan policies D DM1 and QE SP1.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.